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2                   IN THE UNITED STATES DISTRICT COURT  
3                   FOR THE EASTERN DISTRICT OF CALIFORNIA  
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7 DONNELL KINNARD,

8 Plaintiff,

CV F 02 6192 OWW WMW P

9  
10 vs.

ORDER RE: FINDINGS &  
RECOMMENDATIONS (#60)

11 DERRAL ADAMS, et al.,

12 Defendants.

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15                 Plaintiff is a state prisoner proceeding pro se in this civil rights action. The matter  
16 was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local  
17 Rule 72-302.

18                 On October 6, 2005, findings and recommendations were entered, recommending  
19 dismissal of this action for failure to prosecute. Plaintiff was provided an opportunity to file  
20 objections within twenty days. Plaintiff has not filed objections to the findings and  
21 recommendations.

22                 In accordance with the provisions of 28 U.S.C. § 636 (b)(1)(B) and Local Rule  
23 73-305, this court has conducted a de novo review of this case. Having carefully reviewed the  
24 entire file, the court finds the findings and recommendations to be supported by the record and  
25 proper analysis.

Accordingly, THE COURT HEREBY ORDERS that:

1. The Findings and Recommendations issued by the Magistrate Judge on October 6, 2005, are adopted in full; and
2. This action is dismissed without prejudice for failure to prosecute. The Clerk is directed to close this case.

IT IS SO ORDERED.

Dated: November 4, 2005  
emm0d6

/s/ Oliver W. Wanger  
UNITED STATES DISTRICT JUDGE